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HIGH COURT OF CHHATTISGARH: BILASPUR

W.P. (S) No. 717 of 2007

Petitioner Smt. Jyoti Jha (wrongly mentioned as Smt. Jyoti Mishra in impugned transfer order), W/o. Shri Rajat Jha, aged about 47 years, Librarian, Navin Girls' College, Raipur, Dist. Raipur, CG.

Versus

Respondents

1) State of Chhattisgarh, through the Secretary, Higher Education Department, D.K.S. Bhawan, Mantralaya, Raipur, CG.

2) Additional Secretary, Higher Education Department, D.K.S. Bhawan, Mantralaya, Raipur, CG.

3) Srikant Pandey, Librarian, Government College, Vaishalinagar, Dist. Durg.

4) Pravin Kumar Sharma, Librarian, Government Science College, Raipur, CG.

(WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT, WRITS, ORDER, DIRECTIONS ETC.)

SB: Hon'ble Mr. Justice Satish K. Agnihotri

Shri Maneesh Sharma, counsel for the petitioner.
Shri Sushil Dubey, Govt. Advocate for respondents No. 1 and 2/State.
Shri Pankaj Shrivastava, counsel for respondent No. 3
Shri Anil Gulati, counsel for respondent No. 4.

ORDER

(Passed on 20th April, 2007)

1. The petitioner has filed this petition challenging the transfer order dated . 25-1-2007. By virtue of the interim order dated 7-2-2007 passed by this Court, the petitioner is continuing at the original place of posting.

2. Be that as it may, with the passage of time this petition has become infructuous as period of transfer is not applicable forever. At this point of time there is no question to examine the validity of the transfer order. However, the respondents are at liberty to pass appropriate orders keeping in view the public interest and administrative exigency, without insisting on compliance of the impugned transfer order.

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3. So far as respondent No.3 is concerned, learned counsel appearing for the petitioner submits that the petitioner has been posted at Raipur and respondent No.4 who has been posted at Raipur, has been transferred to another place. The State while considering the posting of the petitioner, may consider case of the respondent No.3 for posting at Raipur.

4. In view of the above, this petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Raju